

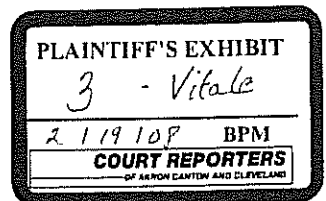
Defendant Midwest Industrial Supply, Inc.'s Claim Construction Chart
U.S. Patent No. 7,081,270

Claim 1

| Claim Phrase or Term | Defendant's Construction |
|--|--|
| Preamble: A method for providing at least one of stabilization and dust control to a particulate surface soil, the method comprising: applying to and allowing to penetrate the surface soil a composition consisting essentially of: | The soil stabilization or dust control method uses a composition contained the listed ingredients. |
| a binder consisting essentially of a carboxylic acid, an ester, or a thermoplastic polyolefin | A binder associates small particulates while stabilizing soil and aggregate. |
| a synthetic isoalkane | No construction required. |

Claim 2

| Claim Term or Phrase | Defendant's Construction |
|---|--|
| The method of claim 1, where the composition is devoid of electrolytes. | The composition does not contain electrolytes. |



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Claim 3

| Claim Term or Phrase | Defendant's Construction |
|--|---------------------------------|
| The method of claim 1, where said composition is applied neat to the surface soil. | The composition is not diluted. |

Claim 4

| Claim Term or Phrase | Defendant's Construction |
|--|---|
| The method of claim 1, where the binder is a thermoplastic polyolefin. | The composition consists essentially of thermoplastic polyolefin and synthetic isoalkane. Thermoplastic polyolefin compound refers to any substance derived from olefins with chemical structure C_nH_{2n} or $R--C_{2n}H_{3n}$, including polyethylene, polypropylene, polybutenes, polyisobutylenes, polyisoprene, and their copolymers. |

Claim 5

| Claim Term or Phrase | Defendant's Construction |
|---|---------------------------------|
| The method of claim 4, where the composition comprises from 2 to 90% by weight of the thermoplastic polyolefin. | No construction required. |

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Claim 6

| Claim Term or Phrase | Defendant's Construction |
|---|---------------------------------|
| The method of claim 1, where the binder is a carboxylic acid. | No construction required. |

Claim 7

| Claim Term or Phrase | Defendant's Construction |
|---|------------------------------------|
| The method of claim 6, where the carboxylic acid is a fatty acid. | A fatty acid is a carboxylic acid. |

Claim 8

| Claim Term or Phrase | Defendant's Construction |
|--|---------------------------------|
| The method of claim 6, where the composition comprises from 5 to 70% by weight of the carboxylic acid. | No construction required. |

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Claim 9

| | |
|--|--|
| Preamble: A method for providing at least one of stabilization and dust control to a particulate surface soil, the method comprising the step of: | A method for providing at least stabilization or dust control. |
| applying to and allowing to penetrate the surface soil a composition consisting essentially of: | The soil stabilization or dust control method uses a composition containing the listed ingredients. |
| a binder consisting essentially of a carboxylic acid, an ester, or a thermoplastic polyolefin | A binder associates small particulates while stabilizing soil and aggregate. |
| a synthetic isoalkane | No construction required. |
| an emulsifier | In addition to the carboxylic acid and the synthetic isoalkane, the composition also includes an emulsifier. Emulsifiers can be protein or carbohydrate polymers or long-chained alcohols and fatty acids. |

Claim 10

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| Preamble: A process for at least one of reducing erosion and controlling dust in surface soil, the process comprising: | A process for reducing erosion or controlling dust. |
| applying to said surface soil a composition comprising two organic materials and allowing the composition to penetrate and weight discrete portions of the surface soil, where the composition consists essentially of a binder consisting essentially of a carboxylic acid, an ester, or a thermoplastic polyolefin | The process uses a composition contained the listed ingredients. A binder associates small particulates while stabilizing soil and aggregate. |
| a plasticizer consisting essentially of a synthetic isoalkane | No construction required. |
| and allowing at least one material in the composition to form a binder in which portions of the surface soil are associated, so as to provide a treated surface soil. | A binder associates small particulates while stabilizing soil and aggregate. |

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Claim 11

| Claim Term or Phrase | Defendant's Construction |
|--|---|
| The process of claim 10, where said surface soil comprises at least one of dirt, slag, sand, gravel, mineral, and aggregate. | Surface soil can be at least one of the listed, but is not limited exclusively to those. If the surface soil contains dirt, it could contain other compounds as well. |

Claim 12

| Claim Term or Phrase | Defendant's Construction |
|--|--|
| The process of claim 10, where said weighting is achieved by at least one of adsorption and absorption of said blend to said discrete portions of said surface soil. | Particle weighting and loading mechanism can be achieved through the processes of adsorption, which is adherence of molecules to the surface of particles and absorption, which is penetration of the substance into the inner structure of the particles. |

Claim 13

| Claim Term or Phrase | Defendant's Construction |
|--|--|
| The process of claim 10, where said surface soil exhibits at least a 100% increase in stiffness and Young's modulus after being treated. | Young's modulus (E) is a measure of the stiffness of a given material. |

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Claim 14

| Claim Term or Phrase | Defendant's Construction |
|--|---------------------------------|
| The process of claim 10, where the composition comprises 2 to 90% by weight of the polyolefin. | No construction required. |

Claim 15

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| Preamble: A process for at least one of reducing erosion and controlling dust in surface soil, the process comprising: | A process for reducing erosion or controlling dust. |
| applying to said surface soil a composition and allowing the composition to penetrate and weight discrete portions of the surface soil, where the composition consists essentially of | The process uses a composition contained the listed ingredients. |
| a binder consisting essentially of a carboxylic acid, an ester, or a thermoplastic polyolefin | A binder associates small particulates while stabilizing soil and aggregate. |
| a plasticizer consisting essentially of a synthetic isoalkane | No construction required. |

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|---|--|
| and a long chain carboxylic acid or ester | No construction required. |
| allowing at least one material in the composition to form a binder in which portions of the surface soil are associated, so as to provide a treated surface soil. | A binder associates small particulates while stabilizing soil and aggregate. |

Claim 16

| Claim Term or Phrase | Defendant's Construction |
|---|--|
| The process of claim 15, where the composition comprises from 5 to 70% by weight of the carboxylic acid or ester. | The composition consists essentially of a binder, a synthetic isoalkane, and from 5% to 70% of the carboxylic acid or ester. |